

REMARKS

Claims 1-7 are pending in this application. The Office Action objects to Fig. 2; rejects claims 1-7 under 35 U.S.C. §112, first and second paragraphs; and rejects claims 1-7 under 35 U.S.C. §103(a). Applicants amend instant claims 1, 2 and 7 and respectfully traverse the rejections. No new matter is added.

Applicants appreciate the courtesies extended to Applicants' representative by Examiner Wollschlager during the personal interview conducted on November 1, 2007. Applicants' separate record of the substance of that interview is contained in the following remarks.

I. Objections

The Office Action objects to Fig. 2 for introducing new matter. Applicants respectfully traverse the objection.

Support for the amendment to Fig. 2 can be found in the specification at, for example, paragraphs [0003] and [0015]. Each of the foregoing paragraphs clearly recite a discharge opening in the bottom of the coagulation bath. Additionally, paragraph [0015] specifically recites "it is preferred to provide the bottom of the coagulation bath per a spinning field with an opening..." Thus, it is clear that the referenced opening, or discharge opening, corresponds to the slot or diaphragm.

For at least the foregoing reasons, Fig. 2 does not introduce new matter. Reconsideration and withdrawal of the objection are earnestly solicited.

II. Rejections Under 35 U.S.C. §112, First Paragraph

Claims 1-7 are rejected under 35 U.S.C. §112, first paragraph, for allegedly not having support for limiting the slot to "vertical slot," and requiring the diaphragm to be positioned at the bottom of the coagulation bath. Applicants amend claims 1, 2 and 7 and respectfully traverse the rejections.

Applicants amend claims 1, 2 and 7 to delete "vertical," and to recite "projection of the slot" and "projection of the spinning field." Thus, this aspect of the rejection is moot. Moreover, as described above, limiting the diaphragm to be positioned at the bottom of the coagulation bath is supported in at least paragraphs [0003] and [0015]. Thus, this aspect of the rejection is also moot.

For at least the foregoing reasons, instant claims 1, 2 (from which claims 3-6 depend), and 7, are supported by the specification. Reconsideration and withdrawal of the rejection are earnestly solicited.

III. Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 1-7 are rejected under 35 U.S.C. §112, second paragraph, as indefinite. The Office Action asserts that "about" is indefinite. Applicants amend claims 1, 2 and 7 and respectfully traverse the rejection.

Claims 1 and 2 are amended to recite "has substantially the same size." Thus, for example, the opening in Fig. 3 is substantially the same size as the spinning field.

For at least the foregoing reasons, instant claims 1-7 are definite. Reconsideration and withdrawal of the rejection are earnestly solicited.

IV. Rejections Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-7 under 35 U.S.C. §103(a) as unpatentable over Meerman in view of Roberts. The Office Action asserts that Meerman teaches each feature of the instant claims except for "that a line through the center of the spinning field and perpendicular to the upper sides of the plates is located at a distance (d) from a parallel line through the center of the slot, wherein the line through the center of the spinning field has a smaller distance to the edge of the other of the plates than to an edge of the one of the plates." However, such features are allegedly disclosed in Roberts. Applicants amend instant claims 1, 2 and 7 and respectfully traverse the rejection.

Instant claim 1 recites "wherein the slot or diaphragm is positioned at the bottom of the coagulation bath." This limitation is also seen in amended Fig. 2. Support for this limitation and amended figure can be seen in at least paragraphs [0003] and [0015], as described above. Moreover, instant claims 1 and 2, from which claims 3-7 depend, recite "a slot or diaphragm with edges formed by plates with upper sides and lower sides" and "wherein the plane of the upper side of the one of the plates has the shorter distance to the center of the spinning field than the plane of an upper side of the other of the plates." No where does Roberts disclose such plates, or a slot being disposed at the bottom of the coagulation bath.

In contrast, although Roberts allegedly discloses an analogous method and device for spinning, Roberts does not disclose the claimed slot or diaphragm as positioned at the bottom of the coagulation bath, nor the edges of the slots or diaphragm as being formed by plates. Rather, Roberts discloses guide bars which guide filaments that ultimately exit the tank over a wiper bar. See Roberts at col. 3, lines 46-48. Thus, Roberts' filaments do not leave the tank by way of a diaphragm at the bottom of the coagulation bath, and Roberts' guide bars cannot be said to be analogous with the instantly claimed plates. Moreover, the object of the instant invention, is not to reduce vortexing (as mentioned by the Examiner and as is the object in Meerman), but rather to address the problem of spin breaks and the motion on the surface of the coagulation bath. See the specification at pages 2, lines 13-36, and page 3, lines 1-10. The specific configuration of the instantly claimed plates aids in achieving this objective by scraping liquid off of the outgoing filament bundle, and resulting in an inertia that ultimately causes two streams of coagulant flowing in opposite directions to collide at different levels, thus rendering the liquid on the surface calm. See the specification, for example, at paragraphs [0007] and [0008]. Meerman also nowhere discloses such features.

As discussed with Examiner Wollschlager in the November 1 personal interview, the foregoing arguments and amendments clarify that instant claims 1-7 would not have been obvious over the combination of Meerman and Roberts because, as combined, they do not obtain the claimed features.

For at least the foregoing reasons, instant claims 1-7 are patentable over Roberts and Meerman. Reconsideration and withdrawal of the rejection are earnestly solicited.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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